

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID E. HILL, :
Plaintiff :
: :
: : No. 3:11-cv-1609
v. :
: : (Judge Rambo)
HARLEY LAPPIN, *et al.*, :
Defendants :
:

ORDER

AND NOW, on this 12th day of February 2020, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion to compel discovery (Doc. No. 241) is **DENIED**;
2. Plaintiff's motion for discovery sanctions (Doc. No. 243) is **DENIED**;
3. Plaintiff's motion for leave to call or add a witness or expert (Doc. No. 245) and request for a subpoena (Doc. No. 254) are **DENIED**;
4. Plaintiff's motions *in limine* (Doc. Nos. 250, 252, 262) are **GRANTED in part** and **DENIED in part**, as follows:
 - a. The motions are **GRANTED** with respect to any evidence regarding Plaintiff's past arrests, convictions, and the facts underlying those convictions; the length of Plaintiff's sentence; the number of times Plaintiff has been incarcerated; his places of incarceration; other restrictions during confinement; and any placements in the SMU or administrative custody after the events of June 22-24, 2010; and
 - b. The motions are **DENIED** with respect to evidence regarding Plaintiff's status as an SMU inmate at the time of the incident, his conduct during the relevant period (June 22-24, 2010), and his disciplinary history **only** to the extent that Defendants knew of and considered Plaintiff's disciplinary record prior to June 22,

2010. “[Specific disciplinary incidents and the details surrounding them are not admissible, unless specific instances led to a decision on the . . . use of [four-point] restraints on [Plaintiff].” *Womack v. Smith*, No. 1:06-cv-2348, 2012 WL 1245752, at *5 (M.D. Pa. Apr. 13, 2012)

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge